
OLR Bill Analysis

sSB 1045 (File 263, as amended by Senate “A”)*

AN ACT PROVIDING HOMELESS YOUTHS AND EMANCIPATED MINORS ACCESS TO BIRTH CERTIFICATES.

SUMMARY:

This bill gives (1) a person at least 15 years old who is certified as homeless and not in the custody of a parent or guardian and (2) an emancipated minor the ability to access and obtain his or her own birth certificate. Currently, only a person over age 18 has access and authority to obtain his or her own birth certificate.

With respect to the terms “homeless youth” and “unaccompanied youth,” the bill applies the federal definitions and designates who may make the certification. By law, an emancipated minor is self-supporting and independent of parental control, usually as a result of a court order (see BACKGROUND). In Connecticut, emancipated minors are, as of January 1, 2010, under age 17 and on and after July 1, 2012, under age 18.

*Senate Amendment “A” (1) requires a youth to be at least 15 years old to have access, rather than allowing access to any homeless child or youth under age 18, as permitted in the original file; (2) adds the stipulation that the homeless youth not be in a parent’s or guardian’s custody; and (3) adds a requirement that the public health commissioner prescribe the certification form.

EFFECTIVE DATE: October 1, 2011; and July 1, 2012, for the provision that raises the age for emancipated minors (the date the change to the age of emancipation becomes effective).

UNACCOMPANIED AND HOMELESS YOUTH

An “unaccompanied youth” includes a youth not in the physical custody of a parent or guardian (42 USC § 11434a(6)). “Homeless

children and youths” means individuals who have no fixed, regular, and adequate nighttime residence (42 USC 11434a(2)). They include youths who:

1. share other people’s housing because of a loss of housing, economic hardship, or similar reason;
2. live in motels, hotels, trailer parks, or camp grounds because of a lack of alternative adequate accommodations;
3. live in emergency or transitional shelters;
4. are abandoned in hospitals;
5. are awaiting foster care placement;
6. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping place;
7. live in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
8. are migratory children living in any of the circumstances described above.

CERTIFIED HOMELESS YOUTH

The certification required by the bill can be made, on a form the commissioner of public health prescribes, by:

1. a school district homeless liaison;
2. the director, or his or her designee, of a U.S. Department of Housing and Urban Development-funded emergency shelter program; or
3. the director, or his or her designee, of a U.S. Department of Health and Human Services-funded runaway or homeless youth basic center or transitional living program.

BACKGROUND

Emancipated Minor

A minor is emancipated, as a result of a superior or probate court order, who (1) willingly lives separate and apart from his or her parents or guardian and manages his or her own financial affairs, (2) has shown good cause that emancipation is in the best interest of the minor, (3) is in a valid marriage, or (4) is on active duty with any of the U.S. armed forces. Pursuant to PA 09-7, September Special Session, emancipated minors are, as of January 1, 2010, under age 17 and on and after July 1, 2012, under age 18 (CGS § 46b-150b).

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Change of Reference
Yea 12 Nay 0 (03/03/2011)

Public Health Committee

Joint Favorable
Yea 26 Nay 0 (03/14/2011)

Planning and Development Committee

Joint Favorable
Yea 19 Nay 0 (04/18/2011)